

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|   |   |                  |
|---|---|------------------|
| -----X                                  |   |                  |
| JULIO TELLEZ GARCIA <i>et al.</i> ,     | : |                  |
|   | : |                  |
| Plaintiffs,                             | : |                  |
|   | : | 19-CV-1301 (JPC) |
| -v-                                     | : |                  |
|   | : | <u>ORDER</u>     |
| SAL 79 ASSOCIATES, INC. <i>et al.</i> , | : |                  |
|   | : |                  |
| Defendants.                             | : |                  |
|   | : |                  |
| -----X                                  |   |                  |

JOHN P. CRONAN, United States District Judge:

On November 5, 2020, the parties filed a joint letter informing the Court that they had reached a settlement in principle and requested four weeks to submit their proposed settlement agreement for Court approval in accordance with *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015). Dkt. 51. The Court granted this request and ordered the parties to submit all necessary materials for Court approval by December 3, 2020. Dkt. 52. Over the past several months, the parties have requested six extensions to file these materials. Dkt. 53, 55, 57, 59, 61, 63. The Court granted each request. Dkt. 54, 56, 58, 60, 62, 64. When the Court granted the last request on February 26, 2021, it noted that it did “not anticipate granting additional requests for extensions absent extremely good cause.” Dkt. 64.

On April 1, 2021, the parties submitted a letter indicating that Defendants’ counsel has not heard from his clients since February 26, 2021 and therefore the parties were unable to finalize the settlement. Dkt. 65. Since nearly five months have passed since the parties reached a settlement in principle, the Court will not extend the deadline further.

Because discovery ended on October 16, 2020, *see* Dkt. 41, and no party has indicated that

it wishes to file a post-discovery motion, the Court assumes that this action will proceed to trial. By May 1, 2021, the parties shall submit the joint proposed pretrial order and all other required pretrial filings in accordance with 7.A-C of the Court's Individual Rules and Practices in Civil Cases. If at any time before May 1, 2021, the parties finalize their settlement and wish to submit it for Court approval, they may do so.

SO ORDERED.

Dated: April 1, 2021  
New York, New York



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JOHN P. CRONAN  
United States District Judge